## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA BRYSON CITY DIVISION 2:14cv34

GARY BARNETT,	)
Plaintiff,	)
<b>v.</b>	ORDER
STATE AUTO PROPERTY &	)
CASUALTY INSURANCE COMPANY	)
and U.S. BANK NATIONAL	)
ASSOCIATION,	)
Defendants.	)
	)

Pending before the Court is the Motion to Dismiss [# 35]. Plaintiff moves the Court for an order dismissing this case with prejudice because the parties have settled this dispute. The Court **DENIES without prejudice** the motion [# 35]. The Court **DIRECTS** the parties to prepare and submit a joint Stipulation of Dismissal within ten (10) days of the entry of this Order.

Signed: November 5, 2015

Dennis L. Howell

United States Magistrate Judge